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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/682,602

09/26/2001

John Eric Hershey

RD-27364

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11/14/2006

GENERAL ELECTRIC COMPANY
GLOBAL RESEARCH
PATENT DOCKET RM. BLDG. K1-4A59
NISKAYUNA, NY 12309

EXAMINER

KARMIS, STEFANOS

ART UNIT

PAPER NUMBER

3691

DATE MAILED: 11/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/682,602

Applicant(s)

HERSHEY, JOHN ERIC

Examiner

Stefano Karmis



Art Unit

3691

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>10/01/2004</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The following application has been reviewed. Original claims 1-48 are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-4, 6-11, 13-27, 29-34, 36-41 and 43-48 are rejected under 35 U.S.C. 102(e) as being anticipated by Levine et al. (hereinafter Levine) U.S. Patent 6,233,566.

Regarding independent claims 1, 20 and 24, Levine discloses an apparatus for securing financing and managing repayment of a loan, the apparatus comprising:

a loan request input module for receiving a request for the loan from a borrower (column 11, lines 26-50);

a processor connected to the loan request input module for processing the request for the loan (column 11, lines 26-50);

a credit evaluation module connected to the processor for determining a credit evaluation of the borrower based on the request for the loan (column 11, lines 51-54);

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a loan determination module connected to the processor and receiving at least the credit evaluation, the loan determination module determining at least a first status of the loan based on predetermined criteria wherein terms of the loan are provided to the borrower when the first status has been determined (column 14, lines 36-41);

a financing solicitation module connected to the processor for soliciting financing for the loan from investors when the first status of the loan has been determined (column 15, lines 53-67); and

a repayment module connected to the processor for servicing and managing repayment of the loan by the borrower (column 24, line 58 thru column 25, line 24).

Claims 2, 8, 14, 16, 18, 22, 25, 32, 40 and 43 wherein the input module comprises an electronic channel connected to a wide area network (WAN) (column 9, lines 62 thru column 10, line 8).

Claims 3, 9, 15, 17, 19, 23, 26, 33, 41 and 44 wherein the wide area network (WAN) comprises the Internet (column 10, lines 8-21).

Claims 4, 10, 27 and 34, wherein the input module comprises an electronic channel connected to a public switched telephone network (column 11, lines 26-50).

Claim 6 and 29, wherein the loan request input module comprises an electronic channel connected to a voice synthesizer unit and a speech recognition system (column 14, lines 42-53).

Claim 7 and 30, wherein the loan request input module comprises an electronic channel connected to a dual tone multi-frequency telephone network (column 11, lines 26-50).

Claim 11, wherein the processor is connected to at least one monitor (column 18, lines 52-67).

Claim 13, wherein the processor further comprises at least one data entry terminal (Figure 2A and 2B).

Claim 21, further comprising a repayment module connected to the processor for servicing and managing repayment of the loan by the borrower (column 24, line 58 thru column 25, line 24).

Claim 31, wherein the step of obtaining the credit evaluation of the borrower comprises obtaining the credit evaluation of the borrower using a credit evaluation module (column 19, lines 37-57).

Claim 36, wherein the step of assigning the risk level to the borrower comprises determining the risk level according to at least one pre-stored risk table (column 19, lines 37-57 and column 25, line 55 thru column 26, line 18).

Claim 37, wherein the step of assigning the risk level to the borrower comprises determining the risk level according to predetermined criteria (column 19, lines 37-57 and column 25, line 55 thru column 26, line 18).

Claim 38, wherein the step of providing the terms of the loan to the borrower comprises determining the terms of the loan according to at least one pre-stored loan repayment schedule (column 24, lines 58 thru column 25, line 8).

Claim 39, wherein the step of providing the terms of the loan to the borrower comprises determining the terms of the loan according to predetermined criteria (column 14, lines 36-41).

Regarding independent claim 45, Levine discloses a method for securing financing for a loan, the method comprising the steps of:

receiving a request for a loan from a borrower via a wide area network (WAN) (column 11, lines 26-50 and column 9, line 62 thru column 10, line 8);

obtaining a credit evaluation of the borrower from the wide area network (WAN) (column 11, lines 51-54 and column 19, lines 37-57);

assigning a risk level for the loan based on at least the credit evaluation of the borrower (column 25, line 55 thru column 26, line 18);

providing terms of the loan to the borrower when the risk level for the loan meets predetermined criteria via the wide area network (WAN) (column 14, lines 36-41);

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soliciting financing for the loan via the wide area network (WAN) based on at least the terms of the loan and the risk level assigned to the loan when the risk level meets at least the predetermined criteria (column 15, lines 53-67); and

executing the loan via the wide area network (WAN) (column 24, line 58 thru column 25, line 24).

Claim 46, wherein the wide area network (WAN) comprises the Internet (column 10, lines 8-21).

Claim 47, further comprising the step of managing repayment of the loan via the wide area network (WAN) (column 24, line 58 thru column 25, line 24).

Claim 48, wherein the wide area network (WAN) comprises the Internet (column 10, lines 8-21).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

7. Claims 5, 12, 28, 35 and 42 rejected under 35 U.S.C. 103(a) as being unpatentable over Levine et al. (hereinafter Levine) U.S. Patent 6,233,566.

Claims 5, 28 and 35, Levine teaches the use of telephone networks for communication (column 11, lines 26-50). Levine also teaches registering fax numbers (column 21, lines 41-57). Levine fails to specifically teach that the electronic channel is connected to a facsimile machine, wherein the facsimile machine is connected to a public switched telephone network. Official Notice is taken that connecting facsimile machines for communication in a network is old and well known in the financial arts. Therefore it would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Levine and include facsimile machined connected to the network because Levine teaches the use of phone networks and registering fax numbers, which would be required for the communication.

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Claim 12, Levine fails to teach that the processor is connected to at least one printer. Official Notice is taken that printers connected to a network are old and well known in the financial arts. It would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Levine and include connecting a printer because it allows to take the loan information from the GUI and print it out as a hardcopy.

Claim 42, Levine fails to teach the step of executing using an electronic signature of the borrower. Official Notice is taken that electronic signatures are old and well known in the financial arts. Therefore it would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Levine and include electronic signatures because it provides for authentication of the customers in a network environment such as that taught by Levine.

Conclusion

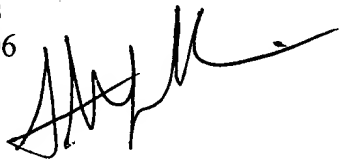
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stefano Karmis whose telephone number is (571) 272-6744. The examiner can normally be reached on M-F: 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alex Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Respectfully Submitted
Stefano Karmis
30 October 2006



HANI M. KAZIMI
PRIMARY EXAMINER